

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/765,682	ROBERTS, RICHARD J.	
	<b>Examiner</b>	<b>Art Unit</b>	
	RAMON O. RAMIREZ	3632	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed Aug 19, 2005.
2. ☒ The allowed claim(s) is/are 1-21.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|   | 9. <input type="checkbox"/> Other _____.   |

4

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Thomas D. Helmholtz on September 12, 2005.

The application has been amended as follows:

I Claim 10 now reads:

A kit having a bracket for supporting a shelf from a vertically extending surface comprising:

an angled member having a first elongate portion adapted to be engaged with a vertically extending surface to be supported therefrom and a second elongate portion adapted to be engaged with a shelf to be supported, the first elongate portion extending at an angle with respect to the second elongate portion, each of the first and second elongate portions having an enlarged portion adjacent an outer end with opposing apertures formed therein; and

a plurality of elongate interchangeable cross braces of different contoured surface ornamental appearances for interchangeably being engaged with respect to the angled member, each cross brace adapted to interchangeably extend between the first and second elongate portions when engaged within the opposing apertures formed in the enlarged

portions of the angled member for releasibly receiving the interchangeable cross brace.

II Claim 15 now reads:

The bracket of claim 10 further comprising:

one of the elongate interchangeable cross ~~brace~~ braces including ornamental indicia formed thereon relating to one of a holiday, a special occasions, a collegiate logo, and a professional team logo.

III Claim 16 now reads:

The bracket of claim 10 further comprising:

one of the elongate interchangeable cross ~~brace~~ braces defining a hook for supportingly hanging another article.

IV Claim 17 now reads:

A bracket for supporting a shelf from a vertically extending surface comprising:

an angled member having a first elongate portion adapted to be engaged with a vertically extending surface to be supported therefrom and a second elongate portion adapted to be engaged with a shelf to be supported, the first elongate portion extending at an angle with respect to the second elongate portion, each of the first and second elongate portions having an enlarged portion adjacent an outer end with opposing apertures formed therein; and

an elongate interchangeable cross brace extending between the first and second elongate portions and engageable within the opposing apertures formed

in the enlarged portions of the angled member for releasibly receiving the interchangeable cross brace, the elongate interchangeable cross brace having an ornamental appearance ~~depicting one~~ consisting of a pumpkin, a football helmet, a soccer ball, a basketball, a baseball, a picture frame, a teddy bear, baby shoes, a container, and a fishing lure.

V Claim 18 now reads:

A kit having a bracket for supporting a shelf from a vertically extending surface comprising:

an angled member having a first elongate portion adapted to be engaged with a vertically extending surface to be supported therefrom and a second elongate portion adapted to be engaged with a shelf to be supported, the first elongate portion extending at an angle with respect to the second elongate portion, each of the first and second elongate portions having an enlarged portion adjacent an outer end with opposing apertures formed therein; and

a plurality of elongate interchangeable cross braces of different contoured surface ornamental appearances for interchangeably being engaged with respect to the angled member, each cross brace adapted to interchangeably extend between the first and second elongate portions when engaged within the opposing apertures formed in the enlarged portions of the angled member for releasibly receiving the interchangeable cross brace, the elongate interchangeable cross brace having an ornamental appearance including one of a hook, a picture frame, a hollow container, a pumpkin, a football

Art Unit: 3632


helmet, a soccer ball, a basketball, a baseball, a teddy bear, a baby shoe, a container, a fishing lure, a holiday indicia, a special occasion indicia, a collegiate logo indicia, and a professional team logo indicia.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RAMON O. RAMIREZ whose telephone number is (571) 272-6821. The examiner can normally be reached on MONDAY-FRIDAY, IST FRIDAY OFF.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ROBERT OLSZEWSKI can be reached on (571) 272-6788. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3632

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
RAMON O. RAMIREZ  
Primary Examiner  
Art Unit 3632

ROR  
September 12, 2005